

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

KIRBY TATE, #23450

PETITIONER

VERSUS

CIVIL ACTION NO. 4:06CV99 DPJ-JCS

JERRY PARKER, ET AL.

RESPONDENTS

ORDER

The undersigned is currently in possession of documents which were attached to Petitioner's objection to the Report and Recommendation of Magistrate Judge James C. Sumner and delivered to chambers. Petitioner did not file these documents with the clerk's office but did file a motion to seal his objections [23] which was termed when the judgement was entered.

These documents were reviewed prior to the adoption of the Magistrate Judge's Report and Recommendation dismissing Petitioner's action with prejudice. Petitioner has now filed a notice of appeal. Accordingly, the undersigned finds that these documents should be sealed, as originally requested by Petitioner, and should be forwarded to the clerk's office to be a part of the record in this case.

SO ORDERED AND ADJUDGED this the 11th day of May, 2007.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE